

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

HB 2198 – SB 3663

April 3, 2012

SUMMARY OF AMENDMENTS (014213, 014566, 015951): Creates a Class A misdemeanor offense for falsifying documents for the purpose of obtaining tattooing services for a minor. Creates a fine of not less than \$50 nor more than \$250 and not less than 20 hours of community service work for a minor who knowingly makes a false statement or exhibits false identification for the purpose of obtaining tattooing services. Requires any parent, legal guardian, teacher, or medical provider for a minor who discovers that such minor has been tattooed to report the discovery to the Department of Health (DOH) within three weekdays of making such discovery. Requires an owner or an operator of a tattoo establishment to post a copy of this statute in a conspicuous place where it may be readily observed by the public. Requires such establishment to obtain a signed acknowledgment from a minor's parent or guardian if the establishment performs tattooing services for a minor to cover up an existing tattoo. Requires such acknowledgment and a record of the service to be forwarded to DOH and requires DOH to maintain such documents until the minor is 20 years of age. Defines "tattoo paraphernalia" as any equipment, design patterns, or needles used or intended for use in tattooing, whether professionally made or homemade, with the intent to permanently mark or color the skin with any pigment, ink, or dye that leaves a visible scar on the skin. Creates a Class A misdemeanor offense for use or possession with intent to use tattoo paraphernalia, unless used or possessed with intent to use by a person licensed under Tenn. Code Ann., Title 62, Chapter 38, Part 2. Specifies that this part does not apply to any physician, surgeon or any person under the supervision of a physician or surgeon who is licensed to practice medicine in Tennessee.

FISCAL IMPACT OF ORIGINAL BILL:

Increase State Expenditures – \$7,200/Incarceration*

**Tennessee Code Annotated, Section 9-4-210, requires that: For any law enacted after July 1, 1986, which results in a net increase in periods of imprisonment in state facilities, there shall be appropriated from recurring revenues the estimated operating cost of such law. The amount appropriated from recurring revenues shall be based upon the highest cost of the next 10 years.*

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENTS:

NOT SIGNIFICANT

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Assumptions applied to amendments:

- Ensuring compliance with the provisions of this bill will not result in a significant fiscal or regulatory impact on DOH. Any cost can be accommodated within existing resources without an increased appropriation or reduced reversion.
- There will not be a sufficient number of misdemeanor prosecutions for state or local government to experience any significant increase in revenue or expenditures.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read "Lucian D. Geise". The signature is fluid and cursive, with the first name "Lucian" written in a larger, more prominent script than the last name "Geise".

Lucian D. Geise, Executive Director

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